

Message Text

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FM AMEMBASSY STOCKHOLM

TO SECSTATE WASHDC 6611

UNCLAS SECTION 1 OF 2 STOCKHOLM 373

E.O. 11652: N/A

TAGS: PINR, PORS, SW

SUBJECT: TEXT OF NEW SWEDISH ANTI-TERRORIST LAW

REF: (A) 75 STOCKHOKM 6256, (B) 75 STATE 288904

1. PER REFTTEL, FOLLOWING IS INFORMAL EMBASSY TRANSLATION OF THE ANTI-TERRORIST SECTIONS OF THE NEW SWEDISH ALIENS ACT PASSED BY RIKSDAG ON DECEMBER 15, 1975.

2. BEGIN TEXT. ARTICLE 1. AN ALIEN HAS, TO THE EXTENT AND UNDER THE CONDITIONS STATED IN THIS LAW, THE RIGHT TO ENTER AND DEPART FROM THE KINGDOM AND TO LIVE HERE AND BE EMPLOYED. HE MAY NOT IN ANY WAY OR MANNER THAN WHICH IS DESCRIBED IN THIS LAW BE FORCED TO LEAVE THE KINGDOM. IN APPLYING THIS LAW IT SHOULD BE OBSERVED THAT AN ALIEN MUST NOT BE SUBJECT TO RESTRICTIONS ON HIS FREEDOM UNLESS SUCH RESTRICTIONS ARE FOUND TO BE NECESSARY IN A SPECIAL CASE.

3. ARTICLE 2. A POLITICAL REFUGEE MUST NOT, EXCEPT UNDER EXTRAORDINARY CIRCUMSTANCES, BE REFUSED SANCTUARY IN THE KINGDOM WHEN HE NEEDS IT. A POLITICAL REFUGEE MAY BE DEFINED AS AN ALIEN WHO RUNS THE RISK OF BEING A VICTIM OF POLITICAL PERSECUTION IN HIS HOMELAND. BY POLITICAL PERSECUTION, THE LAW MEANS A SITUATION IN WHICH ANYONE BECAUSE OF ANCESTRY, AFFILIATION WITH CERTAIN GROUPS OF SOCIETY, RELIGIOUS OR POLITICAL OPINIONS OR

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OTHERWISE BECAUSE OF POLITICAL CONDITIONS IS A POTENTIAL

VICTIM OF OPPRESSION OR OTHER SERIOUS ACT DIRECTED AGAINST HIS LIFE AND FREEDOM, OR A SITUATION IN WHICH, BECAUSE OF HAVING COMMITTED A POLITICAL CRIME, A PERSON RISKS SERIOUS PUNISHMENT.

4. ARTICLE 19. EXPULSION. AN ALIEN MAY BE EXPELLED ...

(5) IF, CONSIDERING HIS PREVIOUS ACTIVITIES, IT CAN BE REASONABLY FEARED THAT THE ALIEN WILL CONDUCT SABOTAGE, ESPIONAGE OR ILLEGAL INTELLIGENCE ACTIVITIES IN THIS COUNTRY OR IN DENMARK, FINLAND, ICELAND OR NORWAY;

(6) IF, BY LAW OR WITH THE SUPPORT OF LAW, REGULATIONS HAVE BEEN ISSUED WITH REFERENCE TO RESOLUTIONS ADOPTED BY THE SECURITY COUNCIL OF THE UNITED NATIONS. AN ALIEN MAY ALSO, AT THE REQUEST OF THE CENTRAL ALIEN AUTHORITY IN DENMARK, FINLAND, ICELAND OR NORWAY, BE EXPELLED IN OTHER CASES IF IT CAN BE EXPECTED THAT HE OTHERWISE WILL DEPART TO THE COUNTRY WHICH HAS PUT FORWARD SUCH A REQUEST.

5. ARTICLE 20. AN ALIEN WHO ARRIVES IN THE KINGDOM SHALL BE EXPELLED IF THERE IS GOOD REASON TO ASSUME THAT HE BELONGS TO OR ACTS FOR AN ORGANIZATION OR GROUP WHICH IS DESCRIBED IN THE NEXT SENTENCE OR IF, BECAUSE OF PREVIOUS ACTIVITIES OR FOR OTHER REASONS THERE IS A RISK THAT HE WILL PARTICIPATE IN ACTIONS IN THIS COUNTRY WHICH ARE MENTIONED IN THAT SENTENCE. ANY MEMBER OF ANY ORGANIZATION OR GROUP WHICH, CONSIDERING WHAT IS KNOWN ABOUT ITS ACTIVITIES, CAN BE EXPECTED TO USE VIOLENCE, THREATS, OR COERCION FOR POLITICAL PURPOSES OUTSIDE ITS HOMELAND, AND THUS WILL BE GUILTY OF SUCH DEEDS IN THIS COUNTRY, SHALL BE EXPELLED ACCORDING TO PROCEDURES DESCRIBED ELSEWHERE IN THIS LAW. THE NATIONAL POLICE BOARD SHALL PREPARE A LIST OF ALIENS WHO, ACCORDING TO WHAT IS STATED IN THE FIRST SENTENCE OF THIS ARTICLE, SHALL BE EXPELLED. THE GOVERNMENT SHALL FORMULATE A LIST OF WHICH ORGANIZATIONS OR GROUPS WILL BE AFFECTED.

6. ARTICLE 21. EXPULSION ACCORDING TO 18 AND 19 (ARTICLES) SHALL BE MADE WHEN AN ALIEN ARRIVES IN THE KINGDOM OR IMMEDIATELY AFTERWARDS. EXPULSION WITH SUPPORT OF ARTICLE 19 MAY BE MADE UNTIL THREE MONTHS AFTER ARRIVAL. THE UNCLASSIFIED

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DECISION AS TO EXPULSION SHALL BE ANNOUNCED BY THE POLICE AUTHORITIES. WHEN AN ALIEN BELONGING TO AN ORGANIZATION ON THE LIST REFERRED TO IN ARTICLE 20 ARRIVES IN THE KINGDOM WITHOUT A VISA OR RESIDENCE PERMIT, THE POLICE AUTHORITIES SHALL IMMEDIATELY ANNOUNCE THE DECISION OF HIS EXPULSION, EXCEPT AS NOTED BELOW. IN CASE A QUESTION IS RAISED BY THE POLICE AUTHORITIES OF EXPULSION ACCORDING TO ARTICLE 20 OF AN ALIEN

IN A CASE OTHER THAN THOSE PREVIOUSLY MENTIONED, THE CASE SHALL BE REFERRED TO THE CENTRAL ALIENS AUTHORITY WHICH, WITH APPROPRIATE COMMENT, SHALL PRESENT THE CASE TO THE GOVERNMENT.

7. ARTICLE 21A. IF THE POLICE AUTHORITIES FIND THAT REASONS FOR EXPULSION AS DEFINED IN ARTICLES 18 AND 19 EXIST, BUT THE ALIEN ASSERTS THAT HE RUNS THE RISK OF BEING THE VICTIM OF POLITICAL PERSECUTION OR RISKS BEING DEPORTED TO A SCENE OF WAR OR BEING PUNISHED FOR DESERTING SCENE OF WAR OR REFUSING TO DO MILITARY SERVICE OR OTHERWISE THAT THERE IS A CHANCE OF HIS BEING SENT TO A COUNTRY WHERE HE RUNS SUCH A RISK AND IF THE ASSERTION IS NOT MANIFESTLY WRONG, THE CASE SHOULD BE REFERRED TO THE CENTRAL ALIENS AUTHORITY. THIS SECTION WILL ALSO APPLY WHEN AN ALIEN DECLARES THAT HE DOES NOT WANT TO RETURN TO HIS HOMELAND BECAUSE OF THE POLITICAL CONDITIONS THERE AND THE CIRCUMSTANCES HE REFERS TO CANNOT BE DISREGARDED. THE CENTRAL ALIENS AUTHORITY WILL, AFTER HEARING THE ALIENS BOARD'S OPINION, DECIDE THE CASE AS SOON AS POSSIBLE. IF THE CENTRAL ALIENS AUTHORITY DECIDES THAT EXPULSION SHOULD NOT BE MADE OR IF THE CASE IS PARTICULARLY URGENT, A DECISION MIGHT BE ANNOUNCED WITHOUT COMMENT BY THE ALIENS BOARD.

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8. ARTICLE 53. IN ANY CASE OF BANISHMENT, ORDER TO LEAVE THE KINGDOM, DEPORTATION, OR EXPULSION, AN ALIEN MUST NOT BE SENT TO A COUNTRY WHERE HE RUNS A RISK TO BE THE VICTIM OF POLITICAL PERSECUTION, NOR TO A COUNTRY WHERE HE DOES

NOT ENJOY SAFETY AGAINST BEING SENT TO A COUNTRY IN WHICH
HE RUNS SUCH A RISK.

9. ARTICLE 54. NOTWITHSTANDING ARTICLE 53, IT SHOULD
BE POSSIBLE TO TRANSPORT AN ALIEN TO A COUNTRY, AS
REFERRED TO, IF HE BY PARTICULARLY SERIOUS CRIMINALITY
HAS DEMONSTRATED THAT HIS STAY HERE WOULD CONSTITUTE
A SERIOUS RISK TO THE COMMON ORDER AND SECURITY AND
THAT THE PERSECUTION WHICH FACES HIM IN SUCH A COUNTRY
DOES NOT INVOLVE RISK FOR HIS LIFE OR IS NOT OF A VERY
SERIOUS CHARACTER AND THAT HE CANNOT BE EXPELLED TO
ANOTHER COUNTRY. IF AN ALIEN HERE OR ELSEWHERE HAS
BEEN ENGAGED IN ACTIVITIES WHICH INVOLVE RISK FOR THE
SECURITY OF THE KINGDOM AND IF THERE IS REASON TO ASSUME
THAT HE WOULD CONTINUE SUCH ACTIONS, HE MAY BE DEPORTED
TO THAT COUNTRY AS STATED IN ARTICLE 53, PROVIDED HE
CANNOT BE TRANSFERRED TO ANOTHER COUNTRY.

10. ARTICLE 69. SPECIAL REGULATIONS. IN THE CASE OF
DIPLOMATIC OR ARMED CONSULAR OFFICIALS AND THEIR
FAMILIES AND SERVANTS EMPLOYED BY FOREIGN POWERS IN
SWEDEN OR OF COURIERS OF FOREIGN POWERS, THIS LAW
WILL BE IN FORCE ONLY TO THE EXTENT DECREED BY THE
GOVERNMENT. IN THE CASE OF OTHER FOREIGNERS WHO HAVE THE
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RIGHTS AND PRIVILEGES ACCORDING TO THE LAW OF DECEMBER 16,
1966 (NO. 664), WITH CERTAIN REGULATIONS ABOUT IMMUNITIES
AND PRIVILEGES, THE RESTRICTIONS WILL BE OBSERVED AS
STATED IN ARTICLES 1, 3 AND 4 OF THE LAW IN QUESTION.
END TEXT.

11. EMBASSY IS FURNISHING FULL TEXT OF THE ALIENS ACT
IN SWEDISH TO THE DEPARTMENT.
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